

E-Filed: November 26, 2014

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NGA TUYET NGUYEN,

No. C14-01487 HRL

Plaintiff,

**ORDER DENYING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT**

v.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SANTA CLARA, sued herein
as THE MANAGEMENT OF SANTA
CLARA SUPERIOR COURT,

Defendant.

Nga Tuyet Nguyen, proceeding pro se, filed suit against the Superior Court of California, County of Santa Clara (sued as "The Management of Santa Clara Superior Court") on March 31, 2014. Plaintiff has filed a "[Purposed] [sic] Order of Court Re: Summary of Judgment," which the Court will construe as a motion for summary judgment. The case management conference has not yet been held.

Summary judgment should only be sought "after adequate time for discovery." *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986). No discovery has taken place in this action. Plaintiff's Motion for Summary Judgment is premature, and therefore is denied. Assuming Plaintiff successfully pleads a claim for relief, she may re-file a motion for summary judgment once

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1 discovery has been conducted. Any motion that Plaintiff chooses to file must comply with the case
2 schedule that will be set at the upcoming Case Management Conference.

3 **IT IS SO ORDERED.**

4 Dated: November 26, 2014



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

C14-01487 HRL Notice will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.